

Message Text

CONFIDENTIAL

PAGE 01 KUALA 07197 170614Z
ACTION EA-06

INFO OCT-01 SS-14 ISO-00 IO-03 INR-05 NSC-05 NSCE-00
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R 160217Z DEC 76
FM EMBASSY KUALA LUMPUR
TO SECSTATE WASHDC 5514
INFO AMEMBASSY MANILA

C O N F I D E N T I A L KUALA LUMPUR 7197

LIMDIS

E.O. 11652: GDS
TAGS: PFOR, PINS, RP, MY, US
SUBJECT: REFUGEE STATUS: BENJAMIN MAYNIGO AND GERARD JUMAT

REF: (A) KUALA LUMPUR 6923, (B) KUALA LUMPUR 6906, (C) STATE 293446

1. MAYNIGO AND JUMAT CALLED AT THE EMBASSY DEC 15 TO ASK WHETHER ANYTHING HAD BEEN RECEIVED FROM WASHINGTON ON THEIR CASE. THEY WERE TOLD THAT THE DEPT WAS AWAITING A RULING FROM UNHCR BEFORE TRANSMITTING THEIR APPLICATIONS TO THE ATTORNEY GENERAL FOR DETERMINATION PER SECTION 212(D)5 OF THE INA.

2. THE TWO FILIPINOS HAD JUST COME FROM TALKINO TO UNHCR REGIONAL REPRESENTATIVE SAMPAT KUMAR WHO HAD INFORMED THEM THAT UNHCR IN GENEVA HAD REQUESTED ADDITIONAL INFORMATION REGARDING THEIR CASES BUT, IN THE INTERIM, HAD AUTHORIZED MATERIAL ASSISTANCE

TO THEM AND THEIR FAMILIES. SAMPAT ALSO OFFERED HIS PERSONAL OPINION THAT CERTIFICATION AS POLITICAL REFUGEES WOULD BE FORTHCOMING. IN THE MEANTIME, HE HAS GIVEN THEM A "TO WHOM IT MAY CONCERN" LETTER STATING THEY ARE OF FILIPINO NATIONALITY AND ARE BEING CONSIDERED FOR DETERMINATION OF POLITICAL REFUGEE STATUS. (COPY BEING POUCHED TO
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EA/IMS FOR SHEPARD.)

3. SAMPAT KUMAR'S DEPUTY FOUINAT SUBSEYUENTLY TOLD POLOFF THAT HE TOO FELT THE CHANCES WERE GOOD, THAT THE ADDITIONAL INFORMATION NEEDED HAD BEEN SENT TO GENEVA BY POUCH DEC 11 AND HE EXPECTED A CABLED REPLY BY CHRISTMAS

OR SHORTLY THEREAFTER. FOUINAT ADDED THAT UNHCR HAS UNDERTAKEN RESPONSIBILITY FOR THEIR CARE AT THE SOON YEE HOTEL IN TAWAU AND HAS OFFERED TO PUT THE FAMILIES OF THE TWO MEN UP IN KUALA LUMPUR BUT IT WOULD BE UP TO THEM TO GET GOM APPROVAL FOR THEIR FAMILIES TO COME FROM TAWAU. HE COMMENTED THAT SAMPAT KUMAR HAD MENTIONED THE CASE TO SABAH CHIEF MINISTER HARRIS SALLEH DURING A VISIT LAST WEEK AND HARRIS HAD LAUGHED AND SAID THAT THEY ALREADY HAVE 70,000 FILIPINO "REFUGEES" IN SABAH, TWO MORE FAMILIES WOULD BE NO PROBLEM. PENDING UNHCR CERTIFICATION, HOWEVER, THERE ARE NO LEGAL PROVISIONS FOR PERMITTING THEM TO COME TO HENINSULAR MALAYSIA. IT IS LIKELY, THEREFORE, THAT THE TWO WILL GO BACK TO TAWAU FOR CHRISTMAS PENDING RECEIPT OF A DECISION FROM UNCR GENEVA.

4. INCIDENTALLY, THERE DO NOT SEEM TO BE ANY OBLATE FATHERS IN MALAYSIA AND MAYNIGO AND JUMAT ARE HESITANT TO APPROACH THE LOCAL CATHOLIC BISHOP BECAUSE THEY DO NOT WANT THEIR PRESENCE TO GET BECK TO THE HHILIPPINE EMBASSY. THEY BOTH SEEM QUITE SENSITIVE TO THE NEED NOT TO EMBARRASS THEIR MALAYSIAN HOSTS OR TO TRIGGER REPRISALS AGAINST THEIR ASSOCIATES IN THE PHILIPPINES.
UNDERHILL

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